

Attorney Docket No. 9052-212

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: David Rowlands et al Confirmation No. 3251  
Application No.: 10/520,550  
PCT Application No.: PCT/GB03/02937  
I.A. Filing Date: July 7, 2003  
For: Use of Hepatitis C Virus (HCV) P7 Protein

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

May 17, 2006

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS**

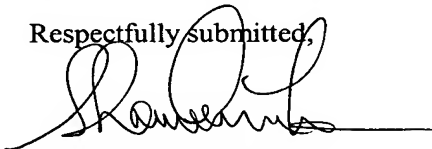
Sir:

In response to the May 3, 2006 Notification of Missing Requirements under 35 U.S.C. § 371 in the United States Designated/Elected Office issued regarding the above-identified patent application, enclosed are the following:

- 1) Copy of Formalities Letter
- 2) Declaration and Power of Attorney document (4 pages);
- 3) Statement in Support of Filing a Sequence Listing;
- 4) Information Disclosure Statement;
- 5) Notification of Change in Small Entity Status; and
- 6) Check in the amount of \$1105.00 as payment of the surcharge (\$130) and the deficiency owed (\$975) for the filing fee erroneously filed at the small entity rate.

The amount enclosed is believed to be correct. However, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No 50-0220.

Respectfully submitted,



Shawna Cannon Lemon  
Attorney for Applicant  
Registration No. 53,888

USPTO Customer No. 20792  
Myers Bigel Sibley & Sajovec  
Post Office Box 37428  
Raleigh, North Carolina 27627  
Telephone: 919/854-1400  
Facsimile: 919/854-1401

**CERTIFICATE OF EXPRESS MAILING**

"Express Mail" mailing label number: EV 854925350 US Date of Deposit: May 17, 2006

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to Mail Stop PCT, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
Typed Name of Person Signing Certificate: Sarah E. Abraham

May 17, 2006  
Date of Signature

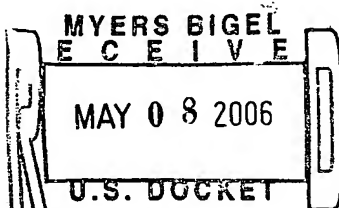


## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
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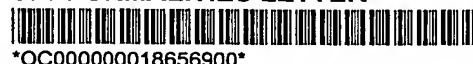
U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/520,550	David Rowlands	9052-212

20792  
MYERS BIGEL SIBLEY & SAJOVEC  
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RALEIGH, NC 27627



INTERNATIONAL APPLICATION NO.	
PCT/GB03/02937	
I.A. FILING DATE	PRIORITY DATE
07/07/2003	07/08/2002

CONFIRMATION NO. 3251  
371 FORMALITIES LETTER



\*OC000000018656900\*

Date Mailed: 05/03/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 01/06/2005
- Copy of the International Search Report filed on 01/06/2005
- Preliminary Amendments filed on 01/06/2005
- U.S. Basic National Fees filed on 01/06/2005
- Priority Documents filed on 01/06/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Surcharge.

05-01-06 A-S: BR OUT

- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application.** Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

**For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:**

- **For Rules Interpretation, call (571) 272-0951**
- **For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.**
- **Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)**

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

FRANCINE YOUNG

Telephone: (703) 308-9140 EXT 215

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/520,550	PCT/GB03/02937	9052-212

FORM PCT/DO/EO/905 (371 Formalities Notice)

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May 17, 2006

**NOTIFICATION OF CHANGE IN SMALL ENTITY STATUS  
UNDER 37 C.F.R. § 1.28(c)**

Sir:

Upon further examination of the above-identified application, Applicants realized that the filing fee had been erroneously paid as a small entity. Applicants regret this error, which was made without any deceptive intent. Accordingly, the claim for small entity based on the assertion in the Transmittal Letter Form PTO-1390 is hereby withdrawn.

Pursuant to 37 C.F.R. §1.28(c)(2), the following information is set forth hereafter: 1) each fee that was erroneously paid as a small entity, including the fee paid and the date that the fee was paid; 2) the deficiency owed for each fee that was erroneously paid; and 3) the total deficiency payment owed.

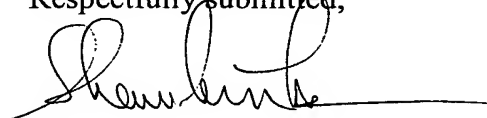
Fee	Fee at Current LE Rate	Amount Paid	Date	Deficiency
Basic National Fee	\$300	\$150	1/6/2005	\$150
Examination Fee	\$200	\$100	1/6/2005	\$100
Search Fee	\$500	\$250	1/6/2005	\$250
Claims - extra total (over twenty) 7 at \$50 ea.	\$350	\$175	1/6/2005	\$175
Claims - extra independent (over three): 3 at \$200 ea.	\$600	\$300	1/6/2005	\$300
<b>Total Paid</b>		<b>\$975</b>	<b>Total Due</b>	<b>\$975</b>

Applicants regret this inadvertent error, which was made without any deceptive intent. A check including the amount of \$975.00 (the deficiency between the amount paid and the

In re: David Rowlands et al  
Serial No.: 10/520,550 (371 Entry of International Application No. PCT/GB03/02937)  
I.A. Filing Date: July 7, 2003  
Page 2

amount due) is enclosed. The Commissioner is authorized to charge any additional deficiency, or credit any overpayment, to our deposit account number 50-0220.

Respectfully submitted,



Shawna Cannon Lemon  
Attorney for Applicant  
Registration No. 53,888

**USPTO Customer No. 20792**  
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Typed Name of Person Signing Certificate: Sarah E. Abraham

May 17, 2006  
Date of Signature